

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Jeremy Thacker,

Plaintiff,

v.

GPS Insight LLC, et al.,

Defendants.

No. CV-18-00063-PHX-DJH

ORDER

This matter is before the Court upon the filing of the Memorandum by Plaintiff related to “unresolved discovery issues” between the Parties. (Doc. 90). The Court will strike Plaintiff’s Memorandum (Doc. 90) as not being filed “in accordance with the Court’s July 26, 2018 ruling” which limited Plaintiff to “7 pages to describe the briefing [discovery issues] and no more than 12 pages to support that briefing,” and for being in violation of LRCiv 7.1. (Doc. 80).

As an initial matter, Plaintiff does not move for relief which can be granted, but rather spends most of his brief restating his claims in the Complaint, and the language contained in the Court’s MIDP and Scheduling Orders. These statements have already been presented to the Court multiple times.

Moreover, Plaintiff has filed a spreadsheet attachment in extraordinarily small font that expands his discovery dispute well-beyond that which was presented to the Court initially (Doc. 55) and he apparently expects this Court to go through this spreadsheet line-by-line. Plaintiff states with regard to this PDF spreadsheet that “simply copying

1 and pasting the unresolved requests into this Briefing would have taken up all 7 pages . . .
2 so there was no other viable means of providing the information to the Court within the
3 page limit.” (Doc. 90 at 5). Plaintiff wholly ignored this Court’s previous Order and
4 LRCiv 7.1(b), which provides that “[a]ll pleadings, motions and other original
5 documents” filed with the Court shall be typed in a “font size no smaller than 13 point.”
6 Additionally, the “margin shall not be less than 1 ½ inches and the right margin shall not
7 be less than ½ inch.” Moreover, the Rule provides that the text “shall be typed double-
8 spaced and shall not exceed 28 lines per page.” Here, it is clear that the font size is much
9 smaller than 13 point. Moreover, the margins on the page have been shrunk in order to
10 accommodate all of the text on the pages. The Court also notes that some of the lines are
11 cut off by the boxes because there are too many words on the page. Lastly, for example,
12 the first page of exhibits contains 48 lines of small text, rather than the 28 lines as limited
13 by the Rule. These exhibits are not copies of pre-existing documents in the nature of
14 business records or bank statements, but rather “original documents” that were created by
15 the Plaintiff for the purpose of filing with the Court. These documents are not in
16 compliance with the Rule.

17 At the July 26, 2018 discovery dispute hearing, Plaintiff requested to have
18 additional pages to describe these issues and this Court gave him seven pages with twelve
19 pages of attachments, a limit that is more than reasonable under the circumstances. The
20 Court gave Plaintiff until August 16, 2018 to file his brief. (Doc. 69). Instead of filing
21 his brief in accordance with what was Ordered at the hearing by August 16, 2018,
22 Plaintiff filed an ex parte Motion, requesting expedited relief, asking the Court to allow
23 him to submit a 25-page motion with 25-pages of attachments related to “32 unresolved
24 discovery issues.” (Doc. 75). Noting that his request went “well beyond the page limits
25 provided for in LRCiv 7.2,” the Court denied his Motion and Ordered Plaintiff to follow
26 the Court’s previous ruling of July 26, 2018, the transcript of which is on the docket.
27 (Doc. 80). Moreover, it was ordered that “[t]he Court will not consider any further
28 discovery disputes, give further guidance to the parties, or entertain any hearing requests


1 until the parties jointly certify that they have personally met and conferred on these
2 issues.” (Doc. 87). In striking the Plaintiff’s Memorandum, the Court will allow Plaintiff
3 one more opportunity to submit his arguments to the Court, related to the issues described
4 in the Joint Notice of Discovery Dispute (Doc. 55), and in accordance with the Court’s
5 prior rulings on this matter. (Docs. 69, 80, and 87).

6 Accordingly,

7 **IT IS HEREBY ORDERED** that Plaintiff’s Memorandum (Doc. 90) is
8 **STRICKEN** for the reasons stated herein.

9 **IT IS FURTHER ORDERED** that Plaintiff shall have until August 27, 2018 to
10 file his brief in accordance with this and all previous Orders of the Court. Defendants
11 shall be permitted to respond within seven (7) days thereafter.

12 **Dated** this 21st day of August, 2018.

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14 
15 Honorable Diane J. Humetewa
16 United States District Judge
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